

## REMARKS

In view of the above amendments and following remarks, reconsideration of the objections and rejections contained in the Office Action of January 4, 2006 is respectfully requested.

It is initially noted that a number of minor editorial changes have been made to the specification and abstract for the sake of U.S. form. In addition, the Examiner's objection to the specification is noted. The original specification in fact does mention graphite at line 15 of page 2. This reference has also now been repeated on page 7 of the specification.

The Examiner rejected claim 10 as being indefinite. While it is believed that the Examiner's position is incorrect, the claim has been redrafted as new claim 18 so as to be in Markush form.

Indeed, all of original claims 9-16 have now been canceled and replaced with new claims 17-25. The claims correspond substantively to original claims 9-16, with claims 18 and 19 corresponding generally to prior claim 10. With respect to independent claim 17, at least, it will be noted that the substantive limitations remain essentially the same.

The Examiner rejected claim 9, along with its dependent claims, as being anticipated by EP 0872317 to Arai. However, it is respectfully submitted that original independent claim 9, as well as new independent claim 17 replacing claim 9, clearly distinguishes over Arai.

In the apparatus for breaking rock according to the present invention, a combustible propellant is provided inside the enclosure formed by a cartridge. Claim 9 did not specifically refer to the propellant as "combustible", but did discuss that when the element was exposed to the propellant and energized, it initiates combustion of the propellant to release high pressure material inside the cartridge. Thus, it is clear from the context that "propellant" references a substance that is combustible when initiated so as to release high pressure material.

In redrafting claim 9 as claim 17, the "propellant" has been referred to as a "combustible propellant." This simply emphasizes the point made in prior claim 9. The cited reference to Arai does not disclose or suggest a combustible propellant.

The rock breaking apparatus of Arai includes a cylindrical container 3 which, depending on the embodiment, is made from a relatively hard material such as synthetic resin or glass (column 6, lines 43-44) or from rubber (column 7, line 46) and which forms an enclosure. A substance 4 for

transmitting pressure is provided inside the enclosure. Noting column 6, lines 38-39, it is clear that the substance 4 is for example water, oil or a gel-like substance such as a jelly. A thin metal wire extends between a pair of electrodes inside the enclosure of Arai.

By energizing the electrodes, the metal wire is fused and evaporated in an instant. This in turn vaporizes a portion of the substance, such as water, for transmitting pressure adjacent to the metal wire; note column 6, lines 53-58. This results in an increase in the volume of the substance and an increase in the expansive forces in the enclosure. Note the further discussion from line 58 of column 6 through line 9 of column 7.

In an alternative embodiment, Arai describes a fluidized self-hardening substance such as a liquid resin or bonding agent 71. Note column 11, lines 11-14.

However, neither the breaking substance 4 or the fluidized self-hardening substance 71 is a propellant.

This distinction is important. It is noted that both Arai and the present invention recognize that to break rock in a controlled non-explosive manner, the rock breaking apparatus has to include a means for producing expansive forces and a means of efficiently transmitting these forces to the rock surface.

Arai teaches that the means for producing expansive forces and the means of officially transmitting these forces rely on one and the same thing, a liquid for example water, oil or gel-like substance. The container of resin, glass or rubber serves as a containment means for the liquid. A portion of the liquid adjacent the energizable element generates the expansive forces by being vaporized.

By contrast, with the present invention the means for producing expansive forces relies upon a propellant. The means for efficient force transmission relies upon the container as it deforms outwardly under internal pressure into intimate contact with the walls of a rock-hole. An advantage of the present invention over Arai, for example, is that substantially greater gas volumes may be generated through combusting a propellant than through vaporizing a portion of the liquid, generating greater expansive forces and ultimately increasing the rock breaking potential.

Thus, it becomes clear that independent claim 17, along with its dependent claims, clearly distinguishes over Arai. Indication of such is accordingly requested.

The Examiner's attention is directed to the Information Disclosure Statement that was filed upon the entry into the national phase, on July 2, 2004. A copy of the Information Disclosure Statement and the form PTO-1449 are in the image file wrapper of this application. However, it does not appear that the form PTO-1449 has been initialed to indicate consideration of the references by the Examiner. It is noted that the cited EP patent to Arai was one of these references, but does not appear to have formally been made of record in the application. The Examiner is accordingly requested to initial the references on the form PTO-1449 and return a copy to Applicants for their records. Should the Examiner require any copies of the cited references, he is requested to contact Applicant's undersigned representative.

The Examiner's attention is further directed to the accompanying submission of revised drawings to correct one reference numeral.

In view of the above amendments and remarks, it is submitted that the present application is now in condition for allowance, and the Examiner is requested to pass the case to issue. If the Examiner should have any comments or suggestions to help speed the prosecution of this application, the Examiner is requested to contact Applicant's undersigned representative.

Respectfully submitted,

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ELEMENT FOR INITIATING PROPELLANTBACKGROUND OF THE INVENTION

This invention is concerned generally with a customized low energy method of breaking rock in a controlled manner.

5 As used herein the word "rock" includes rock, ore, coal, concrete and any similar hard mass, whether above or underground, which is difficult to break or fracture. It is to be understood that "rock" is to be interpreted broadly.

A number of techniques have been developed for the breaking of rock using non-explosive means. These include a carbon dioxide gas pressurization pressurisation method (referred to as the Cardox method), the use of gas injectors (the Sunburst technique), hydrofracturing and various methods by which cartridges containing energetic substances pressurize pressurise the walls or base of a sealed drill hole to produce penetrating cone fractures (known as PCF).

10 These techniques may be an order of magnitude more efficient than conventional blasting in that they require approximately 1/10 of the energy to break a given amount of rock compared to conventional blasting using explosives. The lower energy reduces the resulting quantity of fly rock and air blast and to an extent allows the rockbreaking operation to proceed on a continuous basis as opposed to the batch-type situation, which prevails with conventional blasting.

15 Most non-explosive rockbreaking techniques rely on the generation of high gas pressures to initiate a tensile fracture at the bottom of a relatively short drill hole.

As used herein the term "propellant" is to be interpreted broadly to include a blasting agent, propellant, gas-evolving substance, explosive or similar means which, once initiated, generates high pressure jet material typically at least partly in gaseous form. Propellants of this nature are known in the art. "Blasting agent" and "propellant" are 5 used interchangeably in this specification.

#### SUMMARY OF INVENTION

The invention provides apparatus for breaking rock which includes a cartridge which forms an enclosure, a propellant inside the enclosure, and at least one element 10 which is electrically energizable energisable and which is made from inert material exposed to the propellant.

As used herein "inert material" means a material which, unless energised energized, cannot give rise to a spark or other phenomenon which can initiate the blasting agent.

The element may be in the nature of a filament or electrical resistor.

15 The element may be made from any appropriate material but a preferred material is carbon, eg. in the form of graphite.

The element may be treated in any appropriate way to enhance the efficiency with which the propellant is initiated. For example the element may be dipped in or 20 coated with aluminium powder or any similar agent which gives rise to a sputtering effect when the element is energised energized.

The element may be in the nature of a fusible link ie. a portion of the element may be disintegrate when an electric current in excess of a predetermined amount is passed through the element. Disintegration of the element gives rise to the generation of high energy and relatively small particles which are propelled into the propellant thereby to initiate combustion of the blasting agent. This approach should be contrasted with a technique wherein the element in the form of a filament wire is heated by the passage of electric current to a higher temperature at which the propellant is initiated but wherein the filament remains integral and does not disintegrate due to the direct effect of the electric current passing through the filament.

The filament may be coated to prevent the propellant, or moisture in the propellant, from reacting or fusing with the material contained in the filament.

The filament may for example be a wire or band made from aluminium, nickel-chrome, carbon or a similar material, or a resistor such as a ceramic metal device which, when energized, does not fuse or disintegrate but instead, remains integral despite dissipating sufficient heat to initiate combustion of the propellant.

The cartridge may include a base and a side wall which extends from the base. The side wall may be generally cylindrical.

The cartridge may be made from a malleable material which, in this sense, includes a material which is capable of plastic deformation, without fracture, at least to a predetermined extent.

The cartridge is preferably made from a plastics material eg. polypropylene, polyethylene or the like. The scope of the invention is not limited in this regard.

An upper end of the cartridge, ie. an end which opposes the base, may be domed and the filament may be located at the upper end.

5 It falls however within the scope of the invention to locate the filament at an intermediate location, i.e. between opposing ends of the cartridge.

The filament may be relatively small and thus, when energized, cause the production of a localized relatively high energy hot spot. On the other hand the filament may be elongate so that, when energized, the propellant is initiated over a fairly substantial length or area or at a plurality of points.

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It falls within the scope of the invention to include more than one element in the cartridge so that initiation of the propellant takes place at more than one location. Electrical leads to the element may be positioned inside the cartridge or on an outer surface of the cartridge but preferably are embedded in the material from which the cartridge is made.

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The electrical leads may be connected to terminals to facilitate connection of the leads to a control unit. The terminals are preferably on an outer side of the cartridge.

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The terminals may be covered with a removable closure. Alternatively the terminals may be covered with a frangible or breakable closure. The closure is designed to protect the terminals from damage or exposure prior to use of the cartridge.

The element, or elements, as the case may be, with suitable leads or conductors to the elements and, where applicable control devices such as timing circuits and capacitors or other energy sources for operating the timing circuits, may be mounted on a suitable substrate or motherboard, to facilitate handling of these components and assembly thereof together with the remainder of the cartridge.

The invention also extends to an element of the aforementioned kind, and to a substrate which carries the element and, where required, one or more components for use with, or required to energize, the element.

#### BRIEF DESCRIPTION OF THE DRAWINGS

10 The invention is further described by way of examples with reference to the accompanying drawings in which:

Figure 1 is a view in cross section and from the side of blasting apparatus according to one form of the invention,

Figures 2 and 3 are views similar to Figure 1 of blasting apparatus according to second and third forms of the invention,

Figure 4 is an enlarged cross sectional view of a portion of a cartridge illustrating connecting terminals on the cartridge, and

Figure 5 shows a substrate which carries a filament, for use in the apparatus of the invention.

#### DESCRIPTION OF PREFERRED EMBODIMENTS

Figure 1 of the accompanying drawings illustrates a hole 10 which is drilled into a rock mass 12 from a face 14 using conventional drilling equipment. A cartridge 16 is

loaded into the hole. In this example the cartridge has a base 18 and a generally cylindrical wall 20 which extends from the base and which terminates at an upper end, remote from the base, in a rounded shape 22.

The cartridge is made from a plastics material using injection techniques which are known in the art. The cartridge is for example made from a high density plastics material such as high density polypropylene.

It is desirable to form the cartridge from a malleable material which enables the cartridge to be plastically deformed, without rupture, at least to a predetermined extent, e.g. of the order of 10%, or more.

The cartridge forms an enclosure for a propellant material 24 which is of known composition. The propellant is loaded into the cartridge under factory conditions using techniques which are known in the art.

An initiator 26 is located at an upper end of the cartridge. The initiator has an element when which, in this case, is in the form of a filament made from inert material such as carbon, e.g. in the form of graphite, wire which, preferably, is formed into a coil or with a zig zag configuration. The filament extends from two leads 30 and 32 which pass through the wall of the cartridge so that filament is exposed, in the interior of the cartridge, to the propellant 24. The leads 30 and 32 extend to a blasting control unit, not shown, of a type which is known in the art.

Stemming 40 is placed into the hole from the rock face covering the cartridge to a desired extent and is consolidated by being tamped in position.

The filament is energized by sending a signal of a determined energy content through the wires 30 and 32 to the filament. The filament is thereby heated and glows creating, in effect, a localized hot spot which transfers sufficient energy to the propellant, in the immediate vicinity of the filament, to cause ignition of the propellant.

5       The propellant, when ignited, causes the release of high pressure jet material which is substantially in gaseous form. This material produces a shock wave which is used to fracture the rock 12, typically with an initial fracture being established at the bottom  
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41\_40 of the hole 10.

10      The carbon filament 26 is, as noted, inert and consequently it is possible to provide the cartridge 16 in a form which is ready for use in the sense that the propellant 24 can be loaded into the cartridge even though the initiator 26 is already fixed to the cartridge. In many other instances it is not possible to provide the cartridge, loaded with propellant, if the initiator is already fixed to the cartridge for it is possible  
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15      inadvertently to energize energise the initiator and thus cause unwanted combustion of the propellant. Due to the fact that the filament is made from an inert material it is believed that this danger is effectively eliminated.

20      The filament may be coated with aluminum aluminium paint which, when heated, increases the quantity of energy which is released and, depending on circumstances, can give rise to a sputtering effect which enhances the efficiency with which the propellant is ignited.

The filament could alternatively be in the form of a wire or band and could be made from aluminium or nickel-chrome. These materials may be of a kind which, when heated by electric current, fuse and disintegrate. In a variation use is made of a

suitable resistor, made for example from a ceramic/metal composition which, when heated, glows but does not spatter or disintegrate, and which provides the necessary "hot spot" to initiate combustion.

The arrangement shown in Figure 2 is similar in many respect to what is shown in Figure 1 and where applicable like reference numerals are used to designate like components. The filament initiator 26 is, however, in this case located at a position more or less midway between the base 18 and the rounded upper end of the cartridge. The leads 30 and 32 extend from an upper entry point to the filament and are embedded in the wall 20 of the cartridge. The filament 26 is fired in the same way as what has been described in connection with Figure 1.

In the arrangement shown in Figure 3 the filament is not localized in the way shown in Figures 1 and 2 but, instead, is elongate. The filament extends from end points of wires 30 and 32 which, as is the case with the Figure 2 embodiment, are embedded in the side wall 20. The filament is shaped into the form of a ring which extends around an internal surface of the wall 20. Consequently, when the filament is initiated, combustion of the propellant 24 takes place over an extended length or area or, otherwise put, at a plurality of points.

The filament 26 may be designed and operated so that when energized it is heated to glow and cause a localized temperature increase of sufficient magnitude to initiate the blasting agent. Alternatively the filament may be in the form of a fusible link such that a region of the filament is heated to disintegration point by the passage of electrical current. Components of the filament which are released upon

disintegration are extremely hot and a sputtering-type action results as the filament disintegrates.

It is possible to enhance the combustion effect of the filament by coating the filament at one or more locations with an agent such as aluminum aluminium-powder or any other substance which is explosive or flammable by nature. Again small localized hot spots are generated when an appropriate electrical current is passed through the filament and combustion of the propellant is therefore initiated effectively simultaneously at a plurality of locations.

Also, to protect the filament against reacting with the propellant, or moisture in the propellant, the filament may be coated with an inert material such as a suitable lacquer, e.g. of nitrocellulose.

Figure 4 is an enlarged view in cross section of an upper end 22 of a cartridge which may be of the type shown in any one of Figures 1 to 3. The leads 30 and 32 are, as has been described, embedded in the wall 20 of the cartridge and terminate in relatively rigid terminals 50 and 52 respectively, which project outwardly from the cartridge. The terminals are covered by means of a cap 54 which protects the terminals during transport and storage of the cartridge. If the terminals are to be accessed to enable electrical connections to be made to the terminals then the cap is removed. The cap may for example be threadedly engaged with the cartridge. Alternatively the cap may be formed substantially integrally with the cartridge or be secured thereto in a manner which inhibits removal of the cap. In this case the cap includes a lid 56 which is breakable, or which can be torn from the remainder along a

line of weakness, not shown, to expose the terminals so that electrical connections can be made thereto.

Figure 5 illustrates another modification which can be made to the aforementioned principles. Figure 5 shows a cartridge 10 which is filled with propellant 24. A substrate 60 is located in the cartridge. The substrate is made from an inexpensive non-electrically conductive material, and may be in the nature of a printed circuit board, be formed from a suitable plastic material, or the like. The substrate may be rigid or flexible.

Discrete components may be mounted directly to the substrate using techniques which are known in the electronics art. Alternatively components may be formed on the substrate using deposition techniques similar to those employed in the manufacture of printed circuit boards, integrated circuits and the like.

Thus, using an appropriate technique, a filament 26 is formed on, or is mounted to, the substrate and leads 62 are formed connecting the substrate to a timing circuit 64. The circuit is also formed on or bonded to the substrate and includes leads 66 which extend to terminals 68. The conductors 30 and 32, which are inherently more robust than the leads 62 and 64 on the substrate, are directly connected to the terminals.

The use of the substrate to carry the filament considerably facilitates the manufacture of the filament and its use and helps in reducing inadvertent damage to the filament which could arise during manufacture of the cartridge or when the cartridge is installed in a hole in a rock face. The substrate may be of any appropriate shape or size so that when the substrate is positioned inside the cartridge the filament 26 is substantially automatically positioned at a desired location inside the cartridge.

Clearly it is possible to form a plurality of filaments on the substrate so that the individual filaments are at precisely determined locations relatively to each other inside the cartridge.

ABSTRACT

An apparatus Apparatus for breaking rock which includes a cartridge (16) which forms an enclosure, a propellant (24) inside the enclosure, and at least one element (26) which is electrically energizable energisable and which is made from inert material exposed to the propellant.